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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ARMEN SIMONIAN,  
  
Defendant.

CASE NO. CR S 00-0195 KJM

MOTION TO DISMISS INDICTMENT WITHOUT  
PREJUDICE AND RECALL ARREST WARRANT;  
ORDER

An indictment was filed in this matter on April 13, 2000, charging the above-referenced defendant with a violation of Title 18, United States Code § 1347 [Health Care Fraud]. An arrest warrant issued on the indictment. In the more than ten years which have passed since the indictment issued, law enforcement personnel have been unable to apprehend the defendant. Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, plaintiff United States of America seeks the leave of this Honorable Court to dismiss the indictment without prejudice. This motion is based upon the passage of time, limitations of government resources, and the lack of indications the defendant will be apprehended. The United States also respectfully requests that the arrest warrant be recalled.

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1 Dated: July 24, 2013

BENJAMIN B. WAGNER  
United States Attorney

2  
3 /s/ Philip A. Ferrari  
4 PHILIP A. FERRARI  
5 Assistant United States Attorney  
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7 **ORDER**

8 The United States' motion to dismiss is GRANTED and the indictment is ordered DISMISSED  
9 WITHOUT PREJUDICE. The arrest warrant is RECALLED.

10 **SO ORDERED:**

11 DATED: July 30, 2013.

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13 UNITED STATES DISTRICT JUDGE  
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